

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )  
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Digital Data Transmission Within )  
the Video Portion of Television )  
Broadcast Station Transmissions )

MM Docket No. 95-42

To: The Commission

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COMMENTS OF CHRIS-CRAFT INDUSTRIES, INC./  
UNITED TELEVISION, INC.

Chris-Craft Industries, Inc. and United Television, Inc. ("Chris-Craft/United") respectfully submit these comments with respect to the Commission's proposals in the above-referenced proceeding.<sup>1/</sup>

IT IS PREMATURE TO ADDRESS THE TECHNICAL STANDARDS FOR HIGH SPEED DATA TRANSMISSION UNTIL THE NATIONAL DATA BROADCASTING COMMITTEE MAKES ITS RECOMMENDATION TO THE COMMISSION.

Through experimental authorizations issued by the Commission, the Chris-Craft/United group stations have been actively involved in tests of both "sub-video" data transmission

<sup>1/</sup> The Chris-Craft/United television group includes the licensees of the following television stations: WWOR-TV, Secaucus, NJ; KCOP(TV), Los Angeles, CA; KBHK(TV), San Francisco, CA; KMSP(TV), Minneapolis, MN; KPTV, Portland, OR; KUTP, Phoenix, AZ; KMOL(TV), San Antonio, TX; and KTVX, Salt Lake City, UT. The first six of these stations are all affiliates of the new United-Paramount network.

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technologies addressed in the Commission's notice.<sup>2/</sup> Notice ¶ 29. Chris-Craft/United strongly endorses the Commission's goal "to encourage the use of television signals for ancillary data transmission and to permit new technological developments." Notice ¶ 34. Fostering such emerging technologies and services is "the policy of the United States," and opponents of such proposals "have the burden to demonstrate that [they are] inconsistent with the public interest." 47 U.S.C. § 157(a). On the other hand, it is important to television viewers -- as well as for the market acceptability and success of such systems -- that these technologies not perceptibly degrade the broadcaster's video signal. Chris-Craft/United believes that the appropriate balance of these two goals, as MST has suggested (Notice ¶ 13), is to require prior Commission approval for sub-video technologies, but to adopt an industry transmission standard for them.

The television broadcasting industry is poised to provide a valuable source of competition to other radio and wire-based media in the emerging market for the supply of data to consumers. However, broadcasters would be seriously handicapped in competing in this important new market if the broadcast delivery system cannot be assured of regulatory acceptability.

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<sup>2/</sup> In August 1993, KUTP received authorization to conduct tests of the WavePhore system. See United Television, Inc., 1800E1-DOB (Aug. 11, 1993). In January 1995, WWOR received Commission approval to conduct tests of the Digideck technology. See Notice ¶ 22 & n.11. Chris-Craft now holds a contingent interest in Digideck, Inc.

For this reason, Chris-Craft/United believes that the Commission would best serve the public interest in maximizing access to new technologies and fostering competition in the emerging data transmission markets by adopting an industry standard for broadcast data transmission.

The National Data Broadcasting Committee ("NDBC") is now actively studying the testing of the WavePhore and Digideck proponents to compare their respective impacts upon the video signal. Chris-Craft/United's understanding is that the committee expects to complete the testing process by the fall of this year. Without an industry consensus on an appropriate transmission standard, broadcasters will be left at the starting gate in this emerging market, because broadcast data systems will be able to provide only piecemeal service. In an environment in which each television broadcaster must decide in the exercise of its own licensee discretion which (if any) system to employ,<sup>3/</sup> the absence of a uniform standard will prove to be a significant competitive handicap to broadcast data transmission. The processes adopted by the Commission for regulating ghost-cancelling and ATV technologies demonstrate that Commission review and endorsement of an industry transmission standard will be critical to the acceptability and implementation of these new technologies. See Notice ¶¶ 13-14. The Commission's unfortunate

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<sup>3/</sup> Chris-Craft/United agrees with the Commission's tentative view that television licensees must exercise control over all ancillary communications within the active program video. Notice ¶ 25.

experience with AM stereo provides a stark warning about the importance of this principle.

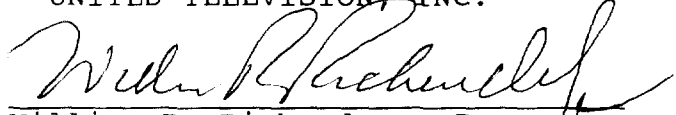
Accordingly, Chris-Craft/United strongly endorses the Commission's intention "to consider the work of the National Data Broadcasting Committee when we adopt a final decision." Notice ¶ 35. The NDBC's studies and recommendations should provide the data critical to an informed decision concerning the relative potential for discernable degradation posed by each of the two sub-video systems currently under review. In the interim, Chris-Craft/United believes it would be inappropriate for the Commission to tilt the playing field in favor of one or the other of these two systems by making tentative ad hoc judgments concerning either of them. See Notice ¶ 38. Such judgments could inadvertently promote a de facto standard based upon inferior technology. Such a standard could doom data broadcasting as a competitive force in this important emerging market, by causing suppliers and consumers to turn to nonbroadcast technologies instead.

As with the ATV Committee that is responsible for recommending a single ATV transmission standard, the Commission should instead seek from the NDBC a recommended uniform standard for high speed data broadcast transmission that can then be considered for adoption by the Commission. In this way, the Commission will best serve its statutory mandate to encourage the development and implementation of this promising new technology, will ensure against discernable degradation to the NTSC picture,

and will foster competition in the important emerging market for the supply of data to consumers.

Respectfully submitted,

CHRIS-CRAFT INDUSTRIES, INC./  
UNITED TELEVISION, INC.

A handwritten signature in cursive script, appearing to read "William R. Richardson, Jr.", written over a horizontal line.

William R. Richardson, Jr.

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